

#8

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 08/980,645
Filed: December 1, 1997
Group Art Unit: 3661
Examiner: M. Zanelli
Applicant: Smith et al.
Title: **FULLY AUTOMATED VEHICLE DISPATCHING, MONITORING AND BILLING**
Atty Docket No. TRAK/02DIV

*Terminal (opposed)
Disclaimer
6/17/99
DM*

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JUN 08 1999

Group 2700

Hon. Commissioner of Patents
and Trademarks
Washington, D.C. 20231

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PENDING
REJECTION (37 CFR 1.321(b))**

1. I, Thomas W. Humphrey, submit this disclaimer and certificate on behalf of the assignee, Total Technology, Inc., a Corporation of Ohio having its principal place of business at 607 W. McMicken Ave., Cincinnati, Ohio 45214, the Disclaimant herein.

2. I hereby certify that Total Technology, Inc. is the assignee of the entire right, title and interest in the patent application identified above by virtue of Assignments of record, recorded in the Patent and Trademark Office at Reel/Frame 8917/488-490 and 8853/649-650. I further certify that I have reviewed all the documents in the chain of title of the patent application identified above and, to the best of my knowledge and belief, title is in the assignee identified above.

06/04/1999 HLE111 00000001 08980645

01-FC:217 435.00-OP
02-FC:203 252.00-OP
03-FC:202 78.00-OP

06/04/1999 HLE111 00000001 08980645
04 FC:248 55.00 CH

4. xx Attached is a check in the sum of \$ 330.00. Please charge my Deposit Account No. 23-3000 in the amount of \$ _____.

5. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

Complete (a) or (b) as applicable.

(a) XX Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

Extension (months)	Fee for other than <u>small entity</u>	Fee for <u>small entity</u>
_____ one month	\$ 110.00	\$ 55.00
_____ two months	\$ 380.00	\$190.00
<u>XX</u> three months	\$ 870.00	\$435.00
_____ four months	\$1,360.00	\$680.00

Extension fee due with this request \$ 435.00.

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If an additional extension of time is required, please consider this a petition therefor. (Check and complete the next item, if applicable)

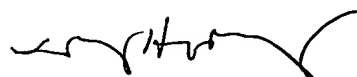
_____ An extension for _____ months has already been secured and the fee paid thereof of \$ _____ is deducted from the total fee due for the total months of extension now requested. Extension fee due with this request \$ _____.

OR

(b) _____ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

X If any additional fee for claims or extension of time is required, charge Account No. 23-3000.

Respectfully submitted,



Thomas W. Humphrey
Reg. No. 34,353

Wood, Herron & Evans, L.L.P.
2700 Carew Tower
441 Vine Street
Cincinnati, OH 45202-2917
Voice: (513) 241-2324
Facsimile: (513) 421-7269



3. I am empowered to act on behalf of the assignee as identified below.

Disclaimer

4. Disclaimant, Total Technology, Inc. hereby disclaims the terminal portion of the term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of United States Patent No(s). 5,835,376. Disclaimant, Total Technology, Inc., hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent No(s). 5,835,376, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantor, its successors or assigns.

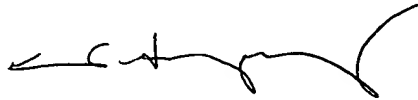
5. Disclaimant, Total Technology, Inc., does not, by this disclaimer, disclaim any part of the term of any patent granted on the above-identified application prior to the expiration date of the full statutory term of United States Patent No(s). 5,835,376, in the event that later such patent expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated in whole or in part, prior to expiration of its full statutory term, except for through separation of legal title as stated above.

6. I hereby declare that the statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Fee Status and Payment

7. Disclaimant is a small entity. Upon acceptance of this disclaimer, please charge the \$55.00 disclaimer fee or any fee deficiency to Deposit Account Number 23-3000.

Respectfully submitted,
Total Technology, Inc.



By: Thomas W. Humphrey
Attorney of Record
Total Technology, Inc.